



PATENT APPLICATION
Docket No.: 15436.436.7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
Tatum et al.)
)
Serial No: 10/028,288) Art Unit
) 2811
Confirmation No.: 2960)
)
Filed: December 28, 2001)
)
For: SUBMOUNT FOR VERTICAL CAVITY SURFACE)
EMITTING LASERS AND DETECTORS)
)
Examiner: Wai Sing Louie)

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Box: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29 day of June, 2004.

- Transmittal of Issue Fee (2 pages) (in duplicate)
- PTO Form PTOL-85B transmitting payment of Issue Fee and Publication Fee
- Comments on Statement of Reasons for Allowance
- PTO-2038 Credit Card Payment Form for \$1,633.00
- Postcard

Respectfully submitted,

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Attorney for Applicant
Registration No. 36,596
Customer No. 022913

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Examiner: Wai Sing Louie)

TRANSMITTAL OF ISSUE FEE PAYMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance and Issue Fee Due dated March 29, 2004, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above identified patent application:

- X Issue Fee Transmittal (PTOL-85B) submitted pursuant to 37 C.F.R. § 1.311.
- X A Certificate of Deposit Under 37 C.F.R. § 1.8 is enclosed.

- X Comments on Statement of Reasons for Allowance.
- X PTO-2038 Credit Card Payment Form for \$1,633.00 is enclosed to cover:
 - X The \$1,330.00 government issue fee pursuant to 37 C.F.R. § 1.18.
 - X The \$300.00 government publication fee pursuant to 37 C.F.R. § 1.18.(d)
 - X The \$3.00 fee for one (1) copy of the patent when issued.
- X The Commission is hereby authorized to charge payment of any additional fees or credit any overpayment to Deposit Account No. 23-3178.
- X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 29 day of June, 2004.

Respectfully submitted,



ERIC L. MASCHOFF
Attorney for Applicant
Registration No. 36,596
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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the communication mailed on March 29, 2004. The Applicant concurs with the Examiner's conclusion that the prior art does not suggest or render obvious the claimed invention. However, Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims in the above-identified application allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that distinguish the claim from the prior art and make it allowable.

Respectfully submitted,

Dated: June 29 2004

By: Eric L. Maschoff
ERIC L. MASCHOFF
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